

AMENDED

Serial No.

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... **FEB 22 1988**

Returned to applicant for correction..... **MAR 10 1988**

Corrected application filed..... **JUN 30 1988** Map filed..... **JUN 30 1988** POD Carson River
Decree Map; POU
50897

The applicant..... **THEODORE H. STOKES**

400 W. king Street of **Carson City**

Street and No. or P.O. Box No. City or Town

Nevada 89701 hereby make 5 application for permission to change the

State and Zip Code No.

Manner of Use & Place of Use of a Portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Carson River Decree Claims #249, #250 and #817; Carson**

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

River Decree, United States of America vs. Alpine Land and Reservoir Company, a

Identify right in Decree.

Corporation et al, Civil No. D-183 BRT

- The source of water is..... **Carson River**
Name of stream, lake, underground spring or other source.
- The amount of water to be changed..... **As Decreed**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for..... **Quasi-Municipal**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for..... **As Decreed**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point..... **As Decreed**
Describe as being within a 40-acre subdivision of public survey and by course and
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, T. 13 N., R. 19 E., M.D.B.&M.
distance to a section corner. If on unsurveyed land, it should be stated.
- The existing permitted point of diversion is located within.....
If point of diversion is not changed, do not answer.
- Proposed place of use..... **See Exhibit "A"**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use. **#249, 53.0 acres, W $\frac{1}{2}$ Section 30, T. 14 N., R. 20 E., M.D.B.&M.**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
#250, 57.0 acres, W $\frac{1}{2}$ Section 30, T. 14 N., R. 20 E., M.D.B.&M. #817, 200 acre feet storage; Ambrosetti
manner of use of irrigation permit, describe acreage to be removed from irrigation.
Pond, T. 14 N., R. 20 E., M.D.B.&M., As
Decreed. 25 ac ft. of storage from claim 817 will also be retained 14 acres of Claim
#249 will remain as shown on supporting map.
- Use will be from..... **January 1st** to..... **December 31st**..... of each year.
Month and Day Month and Day
- Use was permitted from..... **As Decreed** to..... **As Decreed**..... of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **existing Point of Diversion to a new Place of**
State manner in which water is to be diverted, i.e. diversion structure,
Use to an existing water system infrastructure.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works..... **\$75,000.00**
- Estimated time required to construct works..... **5 years**

14. Estimated time required to complete the application of water to beneficial use..... 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

As determined from the Decree the net consumptive use is equal to: 1.) 240 A.F.,
2.) 200 A.F. Storage for a Total of 440 A.F. (net). For proposed Place of Use,
please use map filed under Permit #50897. For Existing Place of Use, please
use map filed in support of the Carson River Decree. For Existing Place of Use
being retained see map filed in support of this application.

By /s/ Jack D. Ferris

Thiel, Winchell & Associates
5151 So. Carson St., Suite 301
Carson City, Nevada 89701

Compared..... bp/se..... bp/se.....

Protested 4-15-88 Douglas County

Pro. Overruled 5/10/90

See Ruling No. 3703

..... APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of Claim No. 250 and portions of Claim Nos. 249 and 817 of the waters of the Carson River as heretofore granted under the Final Carson River Decree No. D-183, in the District Court of the United States in and for the District of Nevada, is issued subject to the terms and conditions imposed in said Final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

Substantial measuring devices approved by the State Engineer equipped with full time recorders shall be installed at the following locations:

1. The upstream entrance to Ambrosetti Reservoir.
2. The discharge point of Ambrosetti Reservoir to the Carson River.
3. The delivery point to the remaining portion of the irrigated place of use under Claim No. 249. This land is located north of the Carson River and is depicted on the map which supports Application No. 51856.
4. The delivery point to the Carson City water system.

Continuous measurements must be taken so that the actual quantities of water stored in Ambrosetti Reservoir, water used at the existing place of use under Claim No. 249 and water delivered to Carson City can each be quantified. Quarterly reports must be delivered to the State Engineer and Federal Water Master.

If the water changed from Claim Nos. 249 and 250 is conveyed to Carson City via the Carson River for diversion in segment #7 of the Carson River as described in the Alpine Decree, the priority date shall be February 22, 1988. The priority of the storage shall remain 1882. (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 1.62..... cubic feet per second, but not to exceed 240 acre
feet annually of which 175 acre feet may come from storage.

Work must be prosecuted with reasonable diligence and be completed on or before..... June 28, 1992

Proof of completion of work shall be filed before..... July 28, 1992

Application of water to beneficial use shall be made on or before..... June 28, 1994

Proof of the application of water to beneficial use shall be filed on or before..... July 28, 1994

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... NOV 26 1997

Proof of beneficial use filed..... MAR 17 1997

Cultural map filed.....

Certificate No. 14949 Issued JUN 19 1998

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 17th day of July

A.D. 1990

R. Michael Turnipseed P.E.
State Engineer

EXHIBIT "A"

51856

The proposed Place of Use is:

Section 4, E1/2 Section 5, T. 14 N., R. 20 E., M.D.B. & M.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, E1/2 Section 19, Sections 20, 21, 22, 23, 28, 29, E1/2 Section 30, E1/2 Section 31, and Sections 32 & 33, all in T. 15 N., R. 20 E., M.D.B. & M.

S1/2 Section 31, S1/2 Section 32, Section 33, W1/2 Section 34, T. 16 N., R. 20 E., M.D.B. & M.

Section 1, E1/2 Section 2, Sections 12 & 13, T. 15 N., R. 19 E., M.D.B. & M.

Section 35, S1/2 Section 36, T. 16 N., R. 19 E., M.D.B. & M.

S1/2 Section 7, Section 18, N1/2 Section 19, T. 15 N., R. 21 E., M.D.B. & M.

(PERMIT TERMS CONTINUED)

This permit shall be limited to 240 acre feet annually of which 175 acre feet may come from storage under Carson River Decree Claim 817.

No channel loss shall be charged between Ambrosetti Pond and the point of redirection since this section of the Carson River is a gaining section. However, if the flow of the Carson River becomes so low that using the Carson River for conveyance causes injury to other users, to be determined by the Federal Water Master, use of the Carson River for conveyance shall cease.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the terms and conditions of the State Engineer's Ruling No. 3703, dated May 10, 1990.

The diversion shall not begin until the Federal Water Master officially opens the irrigation season and shall terminate under his direction as outlined in the Alpine Decree.

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of water heretofore appropriated under Carson River Decree Claims #249, #250 and #817; Carson River Decree, United States of America vs. Alpine Land and Reservoir Company, a Corporation et al, Civil No. D-183 BRT
 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Carson River
 Name of stream, lake, underground spring or other source.
2. The amount of water to be changed As Decreed
 Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Quasi-Municipal
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for As Decreed
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point As Decreed
 Describe as being within a 40-acre subdivision of public survey and by course and within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, T. 13 N., R. 19 E., M.D.B. & M.
 distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within _____
 If point of diversion is not changed, do not answer.
7. Proposed place of use See Exhibit "A"
 Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use #249, 53.0 acres, W $\frac{1}{2}$ Section 30, T. 14 N., R. 20 E., M.D.B. & M.
 Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or #250, 57.0 acres, W $\frac{1}{2}$ Section 30, T. 14 N., R. 20 E., M.D.B. & M. #817, 200 acre feet storage: Ambrosetti Pond, T. 14 N., R. 20 E., M.D.B. & M., As Decreed. 25 ac. ft. of manner of use of irrigation permit, describe acreage to be removed from irrigation. storage from claim 817 will also be retained 14 acres of Claim #249 will remain as shown on supporting map.
9. Use will be from January 1st to December 31st of each year.
 Month and Day Month and Day
10. Use was permitted from As Decreed to As Decreed of each year.
 Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) existing Point of Diversion to a new Place
 State manner in which water is to be diverted, i.e. diversion structure, ditches, of Use to an existing water system infrastructure.
 pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$75,000.00
13. Estimated time required to construct works 5 years

(PERMIT TERMS CONTINUED)

This permit shall be limited to 240 acre feet annually of which 175 acre feet may come from storage under Carson River Decree Claim 817.

No channel loss shall be charged between Ambrosetti Pond and the point of rediversion since this section of the Carson River is a gaining section. However, if the flow of the Carson River becomes so low that using the Carson River for conveyance causes injury to other users, to be determined by the Federal Water Master, use of the Carson River for conveyance shall cease.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the terms and conditions of the State Engineer's Ruling No.3703, dated May 10, 1990.

The diversion shall not begin until the Federal Water Master officially opens the irrigation season and shall terminate under his direction as outlined in the Alpine Decree.

EXHIBIT "A"

51856

The proposed Place of Use is:

Section 4, E1/2 Section 5, T. 14 N., R. 20 E., M.D.B. & M.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, E1/2 Section 19, Sections 20, 21, 22, 23, 28, 29, E1/2 Section 30, E1/2 Section 31, and Sections 32 & 33, all in T. 15 N., R. 20 E., M.D.B. & M.

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